

# **EXHIBIT 5**



# ASSOCIATE SEPARATION FORM (Use this form whenever an associate resigns or is terminated)

1. Complete and review sections 1-11 below

3. Review and confirm all hours; change status in Time & Attendance

5. CT, GA, LA, MA, NJ, NM, NY and TN:

Process your STATE'S SEPARATION NOTICE

2. Ensure that separating associate reads section 10 and signs as indicated

4. If applicable, submit final pay request to Corporate Payroll

6. Notify Talx/UC Express via WebSep

1. NAME: ELENI MIGLIS SOCIAL SECURITY # REDACTED STORE # 2  
 2. JOB CLASSIFICATION (check one): Part Time (Less than 35 hrs per wk) Full Time (35 or more hrs per wk) Mgmt  
 3. START DATE: 2-25-08 LAST DAY WORKED: 3-19-15 SEPARATION DATE: 3-19-15  
 (this date represents the last day the associate physically worked) (see \*\* at bottom of form for situations where SEPARATION DATE differs from LAST DAY WORKED)

4. REASON FOR LEAVING - Check all that apply:

RESIGNATION/VOLUNTARY:

TERMINATION/INVOLUNTARY:

TALX/UCEXPRESS CODE USED:

Better Job Opportunity

Job Elimination

Return To School

Poor Performance

Medical

Misconduct

Job Abandonment

Other

☐ SEPARATION PROCESSED THRU WEB SEP

(Check box once completed)

Scheduled Work Hours ☐ too many / ☐ too few  
Other (Give specific reason)

5. COMPANY PROPERTY RETURNED - Check all that apply:

6. BENEFITS - Check, if applicable:

Associate informed of COBRA

Keys (store, terminals, thermostats)

Alarm, telephone and computer access codes erased

Associate loans repaid in full

Name Badge

Other

7. FINAL PAY - Check all that apply:

8. CURRENT ADDRESS:

Vacation/Floating Holiday/Comp. day adjustment made in Time & Attendance

Address 2 FOX PLACE

Indicate plus or minus days for vacation adjustment: +4

Indicate Floating Hol/Comp. days owed (if applicable) +1

Associate/Employer agree on final check:

City HICKSVILLE

Based on days worked for salaried associates

Based on hours worked for hourly associates

Associate received final check today in the amount of \$

State NY Zip Code 11801

If applicable, associate loan paperwork forwarded to payroll

Associate will return to store to pick up check on

If applicable, final paycheck mailed to Address noted in #8 \*

9. USE BACK SIDE OF THIS FORM FOR ASSOCIATE COMMENTS, IF ANY.

10. Separating associate is to read this section before signing form:

- An adjustment may be made to your final paycheck for any vacation time you had taken but not yet accrued, or that you had accrued but not yet taken. Any such adjustment is set forth above in Section 7.
- As you leave us, we wanted to remind you of your continuing obligation not to disclose to anyone any confidential business and/or proprietary information regarding Bed Bath & Beyond and its operations. Please also make sure you have returned all documents and other items such as records, computer files, computer disks, manuals and notes relating or belonging to the company. You may not take any such materials with you. These things are important to the company, as you may remember from your associate handbook, and that is why your obligation of confidentiality continues even after you leave employment with us.

I fully understand the information that I read in Section 10. If there is anything that I did not understand, I have asked for an explanation.

Associate's Signature: [Signature] Date 3-19-15

11. Supervisor's Signature: [Signature] Date 3/19/15

Store Manager's/Corp Counterpart's Signature: [Signature] Date 3-19-15

\*\* EXAMPLES OF SEPARATION DATE DIFFERING FROM LAST DAY WORKED:

- The Last Day Worked was actually different from the resignation/termination date.
- Job Abandonment: when an associate is absent from work & does not notify the store for a specific period of time; separation date is the date that the decision was made to separate employment.
- Failure to return from LOA/WC: the separation date is the date that the associate was scheduled to return from an approved LOA or WC leave.
- Failure to return from vacation: the separation date is the date in which the associate was scheduled to return from an approved vacation.



**NOTICE OF SEPARATION - BENEFITS**  
**STATE OF NEW YORK**

Associate Name: ELENI MIGUS

Date of employment separation from Bed Bath & Beyond: 3-19-15

\*Date group medical/dental insurance ends: 3-31-15  
(Indicate "N/A" If Associate Was Not Enrolled In Group Medical/Dental Plan)

All other Benefits end on the "Date of employment separation" noted above.

Completed by: BRIAN SNEU Date: 3-19-15  
(Print Name)

  
(Signature)

*\* - If an associate separates from the Company between the 1st and the 15th of a month, their medical and/or dental benefits terminate on the 15th of that same month.  
- If an associate separates from the Company between the 16th and the end of a month, their medical and/or dental benefits terminate on the last day of that same month.*

**Eleni Miglas**  
**Assistant Manager #2**  
**3/19/15**  
**DOH: 2/25/08**

## Termination

Today, 3/19/15, Danielle Squires (SM) and Brian Snell (RHRM) spoke with Eleni Miglas (ASM) regarding several transactions that had been flagged from December 2014 which indicated that Eleni had been provided her key turn authorization numbers to REDACTED (Dept. Mgr) so that REDACTED could process transactions requiring a key turn at the frontend without Eleni being present. The transactions in question, as provided by the LP department, were as follows:

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12/07/14 - Reg 53 - Trans 8503 - 12:35pm

- REDACTED
- 12:33 puts the key in the register and walkie's for a key turn (assumed by the video).
  - 12:35 picks up the phone and starts entering what would be Eleni's numbers.
  - Eleni was not at Customer service and did not turn the key. Eleni is seen in Receiving within the time frames around the transaction. Video missing for receiving during the actual transaction.

12/07/14 - Reg 52 - Trans 6962 - 2:16pm

- REDACTED
- 2:14 puts the key in the register and walkie's for a key turn (assumed by the video).
  - 2:16 picks up the phone and starts entering what would be Eleni's numbers.
  - Eleni was not at Customer service and did not turn the key. Eleni is seen in Receiving within the time frames around the transaction. Video missing for receiving during the actual transaction.

12/28/14 - Reg 53 - Trans 4009 - 10:02am

- REDACTED
- 10:02 puts the key in the register and walkie's for a key turn (assumed by the video).
  - 10:03 picks up the phone and starts entering what would be Eleni's numbers.
  - Eleni was not at Customer service and did not turn the key. Eleni is seen in Receiving within the time frames around the transaction. Video missing for receiving during the actual transaction.

12/28/14 - Reg 53 - Trans 4012 - 10:09am

- REDACTED
- 10:05 : was on the phone during the start of the transaction.
  - 10:08 : appears to page over the phone. (assuming for Eleni in receiving)
  - 10:10 : turns the key and enters what would be Eleni's numbers. No call back as on previous transactions. She must have memorized the numbers at this point. She did just do it on the previous transaction.
  - Eleni was not at Customer service and did not turn the key. Eleni is seen in Receiving within the time frames around the transaction. Video missing for receiving during the actual transaction.

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Upon a review of the above transactions, Eleni acknowledged that on multiple occasions she had in fact provided REDACTED with her key turn authorization numbers so that REDACTED could process transactions at the frontend without Eleni being present for the approval. Additionally, Eleni acknowledged that her actions were a clear violation of company policy and had demonstrated extremely poor judgment on her part. Eleni was informed that based on the severity of this violation in conjunction with judgement that had fallen far below the Company's expectation for any manager, the decision had been made to terminate her employment effective immediately.

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Brian Snell, RHRM

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Danielle Squires, SM

**Eleni Miglas**  
**Assistant Manager #754**  
**DOH: 2/25/08**  
**NTF**  
**9/30/2009**

Today, 9/30/2009, Barry Stern(DM) spoke to Eleni Miglas (Assistant Manager) regarding her performance; relating specifically to the substandard coverage in the building resulting in a customer complaint.

It was explained to Eleni that by allowing the coverage in the store to fall below company best practices and not call out the issue to her store manager or district support she is negatively impacting the service standards of the store. Barry reminded Eleni that Bed Bath and Beyond expects all senior managers to maintain the minimum coverage standards in their store and ensure associates are available to service customers. Eleni was also told if she faces challenges in meeting these expectations they must be communicated to the district manager. At no time did Eleni communicate any issues with maintaining coverage.

Barry expressed his disappointment in Eleni's actions and informed her that any reoccurrence of this or any other violations of company policy/procedure or inconsistent work performance may result in disciplinary action.

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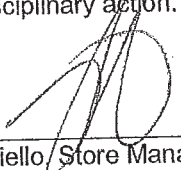
Barry Stern, District Manager

**Eleni Miglas**  
**Assistant Manager #507**  
**8/2/10**  
**DOH: 2/25/08**  
**NTF**

Today, 8/2/10, Vince Porciello (SM) spoke to Eleni Miglas (Assistant Manager) regarding her performance; relating specifically to her failure to follow company best practices during her closing shift as MOD. It was discussed with Eleni that she had failed to conduct the closing MOD walk, failed to conduct a fire and safety walk, failed to sign off on the checklist and failed to log off the sign shop controller.

It was explained to Eleni that by not following Vince's direction and the company program she is negatively impacting the business by not ensuring the building is properly organized, secured and safe. Vince further explained to Eleni that her failure to follow these practices causes a breakdown in leadership and a potential to cause a disruption to the business. Vince told Eleni these practices are put into place to ensure the store is properly closed and the building is safe for associates and customers. Eleni understood her responsibilities as it relates to being the closing senior manager. Vince informed Eleni she had shown poor judgment in her failure to follow her closing best practices.

Vince expressed his disappointment in Eleni's actions and informed her that any reoccurrence of this or any other violations of company policy/procedure or inconsistent work performance may result in disciplinary action.

  
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Vince Porciello, Store Manager

03-29-'11 17:04 FROM-Westbury 260

15167948677

T-074 P003/005 F-908

**Eleni Miglas**  
**Assistant Manager #507**  
**3/15/11**  
**DOH: 2/25/08**  
**NTF**

Today, 3/15/11, Barry Stern (DM) had a conversation with Eleni Miglas (Assistant Manager), regarding Eleni's performance, specifically her poor judgment in not following basic safety precautions and answering the after-hours alarm call, allowing the building to remain unsecure and causing a potential LP issue within the store.

Eleni was told that on 3/10/11 she had failed to answer the alarm call and ensure the store was safe and secure. Barry reminded Eleni it is part of a key holder responsibility to make sure you are able to be reached by the alarm company in case of an emergency. Barry expressed his concern for Eleni not following company policy and allowing the safety of the building to be jeopardized.

Barry further outlined for Eleni that as a manager she needs to set the standard within the building regarding safety and LP policies. Barry explained to Eleni that as a manager it is her responsibility to be the champion of all company practices and always lead by example. Barry further explained the expectations that Bed Bath & Beyond has for all key holders, and made it clear that any reoccurrence of this or any other violations of company policy/procedure or inconsistent work performance may result in disciplinary action.



Barry Stern,  
District Manager



11-18-'11 13:28 TO- 19143452717

FROM-

P0001/0002 T-131 F-429

DOH: 2/25/08  
NTF

Today, 5/16/11, Vince Porciello (SM) spoke to Eleni Miglas (ASM) regarding her performance, relating specifically to her failure to recognize and address dress code violations in the store. Vince explained that it had come to his attention that during a visit from Barry Stern (DM) he had observed two cashiers chewing gum while on the sales floor and during Eleni's MOD shift..

It was explained to Eleni that by not addressing dress code issues in the store she is negatively impacting the standards of the staff within store. Vince told Eleni that Bed Bath and Beyond expects all managers to maintain the standards in the building (including the professionalism and appearance of the staff) and ensure the store is always well presented to the customer. Vince further explained that by failing to communicate the company best practices to her staff and holding the staff accountable to the standard she is not setting up her staff for success and causing potential employee relations and customer service issues in the store. It was explained to Eleni that she had demonstrated poor judgment in failing to address these dress codes violations.

Vince expressed his disappointment in Eleni's actions and informed her that any reoccurrence of this or any other violations of company policy/procedure or inconsistent work performance may result in disciplinary action.

  
Vince Porciello, Store Manager



**Eleni Miglas**  
**Assistant Manager #105**  
**5/8/12**  
**DOH: 2/25/08**  
**Warning**

Today, 5/8/12, Barry Stern (District Manager) and Jesus Cardenas (Store Manager) had a conversation with Eleni Miglas (Assistant Manager), regarding Eleni's poor judgment, relating specifically to not following basic safety precautions and walking the building before closing on the night of 5/7/12, resulting in associates being locked in the building. Furthermore, Barry discussed the importance of always utilizing the planner to ensure each person working in the store is accounted for upon leaving for the night. As a result of not following this best practice Eleni put the safety of our associates at risk.

Barry and Jesus explained to Eleni that as a manager she needs to set the standards within her building regarding safety. Barry outlined for Eleni that as a manager she is responsible for ensuring all the customers and associates in our store are safe. Barry told Eleni she should utilize tools like the planner and the store PA system to make sure all associates are aware it is time to leave the building. Eleni understood her responsibilities as a manager as it pertains to the safety of our associates.

Barry and Jesus explained the expectations that Bed Bath & Beyond has for all managers, and made it clear that any violation of company policy, or any other action, which in the opinion of management is detrimental to the orderly conduct or integrity of the business, will result in disciplinary action, up to and including immediate termination of employment.



Barry Stern,  
District Manager



Jesus Cardenas,  
Store Manager

**Eleni Miglas**  
**Assistant Manager #105**  
**6/4/12**  
**DOH: 2/25/08**  
**NTF**

Today, 6/4/12, Jesus Cardenas (Store Manager) spoke to Eleni Miglas (Assistant Manager) regarding her performance; relating specifically to her substandard execution of MOD Walk notes. It was discussed with Eleni that despite being given specific instructions from Jesus on how to compose MOD walk notes Eleni has again failed to create complete and comprehensive walk notes.

It was explained to Eleni that by not following Jesus' direction and the company program she is negatively impacting the stores operational and customer service standards. Jesus communicated to Eleni that Bed Bath and Beyond expects all Managers on Duty to maintain the standards in the store and ensure the staff is following the company best practices and policies. Eleni was reminded that as a result of not writing proper walk notes it is impossible to research issues, such as poor secret shop scores, to try and retrain and fix opportunities within the building. Eleni was also told if she faces challenges in composing MOD walk notes she must partner with the Store Manager and or the District Customer Service Manager. At no time did Eleni communicate any issues with walk notes to Jesus. It was explained to Eleni that she had demonstrated poor judgment in failing to follow the company best practices regarding walk notes.

Jesus expressed his disappointment in Eleni's actions and informed her that any reoccurrence of this or any other violations of company policy/procedure or inconsistent work performance may result in disciplinary action.

  
Jesus Cardenas, Store Manager

08-31-'12 08:30 FROM-BBB #105 MANHASSET

516-365-3970


T-638 P001/001 F-601

**Eleni Miglas**  
**Assistant Manager #105**  
**8/30/12**  
**DOH: 2/25/08**  
**NTF**

Today, 8/30/12, Jesus Cardenas (Store Manager) had a conversation with Eleni Miglas (Assistant Manager) regarding her performance; relating specifically to her failure to follow direction. It was explained to Eleni that she had failed to complete multiple calendar tasks, allowing them to go overdue, such as remerchandising the kitchen towel and food storage areas, as well as communicating a new line of products from the vendor Safavieh, despite being reminded to do so.

Jesus informed Eleni that she is expected to follow up on all areas of responsibility within her role, and that failing to execute the above negatively impacts the overall performance of the building. Jesus also reminded Eleni that it is her responsibility to communicate issues she may have in executing her responsibilities. At not time had Eleni called out issues with completing her duties to her store manager.

Jesus expressed her disappointment in Eleni's actions, and made it clear that that any reoccurrence of this or any other violations of company policy/procedure or inconsistency work performance may result in disciplinary action.

  
Jesus Cardenas  
Assistant Store Manager

**Eleni Miglas**  
**Assistant Manager #2**  
**7/22/13**  
**DOH: 2/25/08**  
**ROC**

Today, 7/22/13, Michael Stark (Store Manager) spoke to Eleni Miglas (Assistant Manager) regarding her performance; relating specifically to her failure to process BOPUS order requests while she was the MOD. It was discussed that as the MOD it is her responsibility to ensure the store processes are being followed, the BOPUS orders are researched and the requested orders are fulfilled.

Eleni was reminded that despite the process of checking BOPUS orders every 30 minutes, during the week ending 7/21 while she was the MOD she had failed to research multiple BOPUS orders resulting in the order to be auto-cancelled. It was explained to Eleni that by not following up on the company programs she is negatively impacting the service in the store. Michael communicated to Eleni that Bed Bath and Beyond expects all managers to maintain the processes in the store, especially processes that may negatively impact customer service. Michael further explained that by failing to attend to the pending BOPUS orders she is creating potential customer service issues which could negatively impact our sales and our reputation. Eleni was told he had demonstrated poor judgment in failing to ensure the processes in the store are upheld.

Michael expressed his disappointment in Eleni's actions and informed her that any reoccurrence of this or any other violations of company policy/procedure or inconsistent work performance may result in disciplinary action.

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Michael Stark,  
Store Manager